

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARIA ALEJANDRA CELIMEN SAVINO,
and JULIO CESAR MEDEIROS NEVES, and
all those similarly situated,

Petitioners,

v.

STEVEN J. SOUZA,

Respondent.

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C.A. No. 20-10617-WGY

SERVICE ORDER

YOUNG, D.J.

On May 27, 2020, petitioners Maria Alejandra Celimen Savino and Julio Cesar Medeiros Neves, immigration detainees currently confined at Bristol County House of Corrections and C.Carlos Carreiro Immigration Detention Center, filed a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241. Petitioners on behalf of themselves and those similarly situated seek immediate release from immigration detention.

ACCORDINGLY, this Court hereby orders that:

1. Respondent Steven J. Souza is the proper respondent. *See Rumsfeld v. Padilla*, 542 U.S. 426, 439 (2004) (immediate custodian of petitioner is proper respondent in habeas action); *Vasquez v. Reno*, 233 F.3d 688, 696 (1st Cir. 2000)(same, as applied to immigration detainee). The other respondents are dismissed from this action without prejudice.

2. The Clerk shall serve the petition on Respondent Souza and the United States Attorney for the District of Massachusetts.

3. Respondent Steven J. Souza shall respond to the petition within 14 days of the entry of this Order.

4. In order to give the Court time to consider the matter, unless otherwise ordered by the Court, the Petitioners and putative class members shall not be moved outside the District of Massachusetts without providing the Court 48 hours' advance notice of the move and the reason therefor. Any such 48-hour notice period shall commence at the date and time such notice is filed and expire 48 hours later, except "[i]f the period would end on a Saturday, Sunday, or legal holiday, the period continues to run until the same time on the next day that is not a Saturday, Sunday, or legal holiday." Fed. R. Civ. P. 6(a)(2)(C).

IT IS SO ORDERED.

3/29/2020
DATE

/s/ William G. Young
UNITED STATES DISTRICT JUDGE